



City of San Diego

**CARL DEMAIO**  
CITY COUNCILMEMBER -DISTRICT 5

**DONNA FRYE**  
CITY COUNCILMEMBER -DISTRICT 6

## MEMORANDUM

DATE: July 28, 2009

TO: Mayor Jerry Sanders

FROM: Councilmember Carl DeMaio *Carl DeMaio*  
Councilmember Donna Frye *Donna Frye*

RE: Reforms to Appointments Process to City Ethics Commission

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We are pleased to receive your memorandum dated today where you express your desire to reform the appointments process for the City Ethics Commission.

You cite a City Attorney opinion as the primary cause of the delay in appointments to the Commission. We disagree -- there have been serious issues raised in recent weeks that cast doubt on the integrity of the current appointments process. Put simply, the City Attorney's advice is a symptom -- not a cause -- of those issues of integrity.

We note your request -- on behalf of yourself and the Council President -- to meet with the City Attorney privately to develop a new appointments process. As you conduct those meetings, we wanted to share with you again the attached memorandum we issued yesterday outlining the independent appointments process we proposed that would utilize a panel of three retired judges.

We have requested that our proposed reforms to the appointments process be docketed at the Rules Committee so that the public can have an opportunity to comment on and participate in the decision -- in open session.